

36.11.438 SENSITIVE SPECIES - BLACK-BACKED WOODPECKER

(1) The department shall consider the following when developing prescriptions for harvest in areas of recently burned (less than five years) forest patches greater than 40 acres in size:

(a) The department shall minimize mechanized activity within 0.25 mile of black-backed woodpecker habitat during the period April 15 through July 1.

(b) The department shall manage approximately 10% of the burned acreage in an unharvested condition that is broadly representative of the entire burn (i.e., similar habitat types, fire intensity, elevations, stand density, and stand age class prior to burn) to be determined using site-specific information at the project level. The department shall manage such areas in relatively contiguous blocks favoring close proximity to unharvested fire-killed deferred stands on neighboring ownerships considering the habitat needs of black-backed woodpeckers.

(c) The department shall leave standing sub-merchantable burned trees where soil, slope stabilization, and human safety concerns allow. (History: 77-1-202, 77-1-209, 77-5-201, 77-5-204, MCA; IMP, 77-5-116, 77-5-204, 77-5-206, 77-5-207, MCA; NEW, 2003 MAR p. 397, Eff. 3/14/03.)